

URBAN AREA PLANNING COMMISSION

MEETING MINUTES

March 22, 2017 – 6:00 P.M.

Council Chambers

1. ROLL CALL:

The Urban Area Planning Commission met in regular session on the above date with Chair Gerard Fitzgerald presiding. Commissioners Loree Arthur, David Kellenbeck, Blair McIntire, Dan McVay, Robert Wiegand and Vice Chair Jim Coulter were present. Commissioner Lois MacMillan was absent. Also present and representing the City was Parks & Community Development Director Lora Glover. Note: There were audio issues during this meeting which made much of wording difficult to hear and understand.

2. CONSENT AGENDA:

a. MINUTES: March 8, 2017

b. FINDINGS OF FACT: 103-00105-14 & 301-00113-17 Cedar Fall Lane Partition & Major Variance.

MOTION/VOTE

Commissioner Kellenbeck moved and Vice Chair Coulter seconded the motion to approve the consent agenda with minutes of March 8, 2017. The vote resulted as follows: “AYES”: Commissioners Arthur, Coulter, Fitzgerald, Kellenbeck, McVay, and Wiegand. “NAYS”: None. Abstain: McIntire. Absent: MacMillan
The motion passed.

3. ITEMS FROM PUBLIC: None.

4. PUBLIC HEARINGS: 104-00106-16 & 201-00137-16 ~ Valley Lights Subdivision Tentative Plan, Planned Unit Development (PUD), and Major Site Plan Review – Amended Staff Report.

- Chair Fitzgerald stated, at this time I will open the public hearing to consider Application 104-00106-16 and 201-00137-16 ~ Valley Lights Subdivision Tentative Plan, Planned Unit Development (PUD) and Major Site Plan Review – Amended Staff Report. We will begin the hearing with a staff report followed by a

presentation by the applicant, statements by persons in favor of the application, statements by persons in opposition to the application, and an opportunity for additional comments by the applicant and staff. After that has occurred, the public comment portion will be closed and the matter will be discussed and acted upon by the Commission. Is there anyone present who wishes to challenge the authority of the Commission to consider this matter? Seeing none do any Commissioners wish to abstain from participating in this hearing or declare a potential conflict of interest? Seeing none are there any Commissioners who wish to disclose discussions, contacts, or other ex parte information they have received prior to this meeting regarding this application? Seeing none in this hearing the decision of the Commission will be based on specific criteria which are set forth in the development code. All testimony which applies in this case is noted in the staff report. If you would like a copy of the staff report, please let us know and we will try and get you one. It is important to remember if you fail to raise an issue with enough detail to afford the Commission and the parties an opportunity to respond to the issue you'll not be able to appeal to the Land Use Board of Appeals based on that issue. The hearing will now proceed with a report from staff.

- Lora noted a few corrections. Page 23, the overall unit proposed is for is for 33 units, not 34. Lots 1 and 16 meet the density requirements as reflected on the revised plan. Page 27, second paragraph should state "future division of these lots". Page 30, Criterion (4) should be satisfied, page 32, Criterion (9) should read "satisfied with conditions" and they will be adding a new condition, condition A-12 requesting documentation for financial ability for the project.
- Lora gave the staff report.
- She referred to her PowerPoint presentation of the project. She gave the overview and indicated the proposal is for a 15-lot tentative subdivision plan which will create a private street (Randy Lane). The application includes a PUD for lots 1 & 16. The preliminary plan proposed a total of 30 residential units, 17 of which would be located on the two PUD lots. The remaining lots would be developed with single-family residences. These properties are located between Pleasant View Drive & Valley View Drive in the R-1-12 zone district. The applicant has submitted a revised narrative and a revised tentative plan.
- Lora went through the each of the criteria to be met.

- There were concerns about parking, the street connection, and drainage.
- Applicant, TJ Bossard, summarized the project explaining this project has evolved over about a 10-year period. He addressed drainage issues they have put in place. He indicated where the guest parking would be.
- There was a question about impervious surface. Mr. Bossard addressed the soil conditions and stated he does not know if it is pervious or not.
- Commissioner Kellenbeck asked about retaining walls. Mr. Bossard explained where the retaining walls will be and the conditions.
- Lora added the Code has been incorporated into their conditions on page 36, condition 7a.
- Commissioner Kellenbeck asked about single or double garages. Mr. Bossard stated they are single but could easily be converted into double. He can change it as a condition of approval.
- Lora stated they could add condition A7d for additional parking spaces and A7e for the garages if the applicant is agreeable.
- Mr. Bossard wants to leave some flexibility for the developer and indicate that not all garages have to be double.
- Commissioner Coulter asked about the recreational areas/open spaces. There are two proposed facility areas. Discussion continued about these areas being up to the developer and designer to decide what is best served with those areas. Commissioner Coulter wants Mr. Bossard to ensure those recreational areas do happen.
- Bruce Galloway - 513 Valley View Drive - stated he is not opposed to it but wants to make sure the bike path won't impact his trees. Also noted there is more water around his house than ever before but has a retaining wall. He asked if the water would go into the irrigation canal or the 12" pipe. Lora indicated it will go into the pipe and not the canal. GPID is rerouting a section of the canal that goes through the PUD.
- Liz Jones - 335 NW Pleasant View Drive - asked for clarification about the applicant having financial documentation that he has the ability to complete the project. She doesn't want them to build the project if they don't have the ability to pay. She opposes the project.
- Margot Foley - 445 NW Pleasant View Drive - expressed concerns about the runoff they have already, the lot that will have 6 units and only room for 4 guest

parking spaces, and what kind of recreation are they looking at for the open space as well as the traffic impact for the area.

- Lupe Katsuda - 416 NW Pleasant View Drive - stated her property was flooded by the irrigation canal and was told by GPID it wasn't their responsibility. They were able to stop the flooding but there was a lot of damage. She is opposed to the development because of all these concerns as well as additional traffic, more flooding and the road needs to be repaired. She submitted her letter of complaint to GPID as part of the record as exhibit 11.
- Janet Rich - 431 NW Pleasant View Drive - is concerned about the traffic impact and that the report was done back in 2005. She indicated traffic is getting worse on Highland. She would like consideration of another TIA before approving the plan and wonders who will be financially responsible for those improvements.
- Joanne Huestis - 1610 NW Black Oak Drive - states the wetlands, when full, come down and flood all the time. Says the GPID will not take responsibility but she has contacted the corps of engineers for the state. Feels someone needs to contact the water wetlands division to see that the wetlands will not be affected and protected. Would like them to consider a 24" pipe to handle the drainage instead of the 12" proposed.
- Mr. Bossard addressed the improvements that will be acting as in interceptor that channels storm water to a detention area that will slow it down then release it. The flooding will improve, which is the intent of their design. It will use pipes that are adequately sized to catch that water and transport it from point A to point B. He stated his firm is the engineer of record for the streets including the storm drain. He also mentioned the irrigation district is not the City and will not take any more storm water into their ditch. He indicated there are issues above lot 1, which he noted that one of the audience members lives below, and said it is a good example of how drainage will improve.
- Lora mentioned that some of the neighbors are experiencing more traffic from Highland; the traffic impact study for this project was based upon the units in the project and not what has happened on Highland. The applicant is required to do traffic studies for this development. Also, the developer will be responsible for making the connection where Pleasant View ends now to Valley View. They are not responsible for improvements to the existing portion of Pleasant View. The

City may come in at some point with a local improvement district. Otherwise, it would be on the property owners.

- Lora answered a question about cul-de-sacs that are never intended to be a dead end but intended to be put through at some point as with NW Pleasant View Drive.
- Commissioner Arthur asked about the sidewalks near Highland. There was discussion about the sidewalks and the pedestrian path.
- Commissioner McVay asked Lora where the detention pond will be located and the capacity. Lora and Mr. Bossard explained it will be located in the bulb of the cul-de-sac.
- Commissioner Kellenbeck mentioned that he hopes some of the problems the property owners surrounding the project will have these things taken care of in the future.
- Commissioner McIntire agreed and stated there were too many underlying things he didn't like, particularly the contingency in the planning of the water control and would like more specifics. There was discussion about the drainage and the site plan process.
- Commissioner Arthur stated she is more comfortable with it now than she was 10 years ago with the retaining walls, cuts and density issues. Feels we should encourage more on-site retention of water and less feeding into the storm drain. Would like them to make every effort they can to solve the problem.
- Chair Fitzgerald asked if she is comfortable with the site plan review process. She indicated that she is because it is a tentative plan and not the final and believes they have taken big steps to solve the problem.
- Commissioner Coulter addressed page 24 the sentence that reads ".52 acres of open space and 1.25 acres if proposed impervious surface" and indicated that it has to be planned really well since that is a lot of impervious surface and there is potential for runoff going everywhere. He is not overly comfortable with it either. There was further discussion of the traffic safety concerns lots 1 and 16.
- Commissioner Wiegand said he isn't sure if we can do anything about the traffic at this point. He does feel he did a great job at addressing the drainage issues and if the project engineer and the City does their jobs, the storm drain issues will be addressed adequately.

- Chair Fitzgerald read from a section from the staff report about the drainage plan for each lot and the scope of those plans. He agrees with Commissioner Arthur but he sees this as part of the solution.
- Commissioner McVay indicated he is uncomfortable as well with the drainage and even though each lot has its own system, the water needs to go someplace.
- Chair Fitzgerald asked if the commission feels the staff has addressed the conditions sufficiently so they don't have problems and it improves the lots that are existing today.
- Commissioner Coulter asked about the 25-year flood and asked if that is the design requirement and if that is seasonal. Lora explained it is an average yearly total.
- Commissioner Kellenbeck suggested they move forward with approval of the tentative plan but mentioned a few changes. Condition A12 requiring the submittal of documentation verifying financial ability to complete the project; Condition A7d requiring 8 guest parking spaces for Lot 16; and Condition A7e requiring all units to include a two car garage.
- Commissioner Arthur asked if there could be more permeable surfaces. Lora explained that it is permitted and there was some discussion.
- Commissioner Kellenbeck asked if Mr. Bossard was the Engineer of Record. Bossard responded "yes" that he was.

MOTION/VOTE

Commissioner McVay and Commissioner McIntire seconded the motion to approve the Valley Lights Subdivision Tentative Plan, Planned Unit Development and Major Site Plan Review (104-00106-16 and 201-00137-16) with the following additional conditions: Condition A12 requiring the submittal of documentation verifying financial ability to complete the project; Condition A7d requiring 8 guest parking spaces for Lot 16; and Condition A7e requiring all units to include a two car garage.

The vote resulted as follows: "AYES": Commissioners Arthur, Coulter Fitzgerald, Kellenbeck, McVay, McIntire and Wiegand.

"NAYS": None. Abstain: None. Absent: MacMillian.

The motion passed.

5. OTHER ITEMS/STAFF DISCUSSION:

a. Staff Updates – Discussion

- The site plan review will be going out next week, in which part of that is the pre-app for the building down at the south Y. There is a new building going in. They are keeping in mind the changes that may occur with the ODOT in the future.
- They are going through associate planner and senior planner interviews and are hoping to get a couple people on soon.
- They are working to ensure the best practices from the performance audit are in place. They have two vacancies to fill now and hope to get an assistant planner after that.

6. ITEMS FROM COMMISSIONERS:

a. Updates/discussion

- Commissioner McVay thanked Lora and her staff for the hard work.
- Commissioner Kellenbeck agreed with that statement.
- Commissioner Coulter encouraged people to come out and attend these meetings to participate in the proceedings and liked how the meeting went.

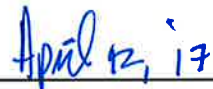
7. ADJOURNMENT:

Chair Fitzgerald adjourned the meeting at 8:07 pm

Next Meeting: April 12, 2017



Gerard Fitzgerald, Chair
Urban Area Planning Commission



Date

These minutes prepared by Donna Anderson, City Administration.